

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

DERRICK LAMAR LESTER,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV 22-219-RAW-JAR
)	
RICK WHITTEN, et al.,)	
)	
Defendant.)	

OPINION AND ORDER

On August 5, 2022, Plaintiff Derrick Lamar Lester, a pro se prisoner who is incarcerated at North Fork Correctional Center (NFCC) in Sayre, Oklahoma, filed this civil rights complaint pursuant to 42 U.S.C. 1983 (Dkt. 1). He alleges the defendants, NFCC officials Warden Rick Whitten, Mrs. V. Howes, Mrs. Robinson, and Mrs. Spencer withheld his legal documents and legal mail when he was transported back to the facility from the hospital. *Id.* at 6-7. In addition, the defendants allegedly falsely claim they cannot find Petitioner's legal and religious materials, poems, rap lyrics, appliances, photo albums, business plan, and clothing sent by his family. *Id.* at 8. Defendants also have not provided Plaintiff with a printout as requested. *Id.*

Plaintiff presently is incarcerated in the Western District of Oklahoma, and the complaint asserts the defendants also are located within the territorial jurisdiction of the Western District.

A civil action may be brought in--

(1) a judicial district in which any defendant resides, if all defendants are

residents of the State in which the district is located; [or]

(2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred,

28 U.S.C. § 1391(b)(1)-(2).

After careful review, the Court finds proper venue does not lie in this district, and the case should be transferred to the Western District of Oklahoma.

ACCORDINGLY, this action is **TRANSFERRED** in the interest of justice to the United States District Court for the Western District of Oklahoma. *See* 28 U.S.C. § 1406(a).

IT IS SO ORDERED this 8th day of August, 2022.

A handwritten signature in black ink, reading "Ronald A. White", written over a horizontal line.

Ronald A. White
United States District Judge
Eastern District of Oklahoma